

REMARKS

Claims 1-11 remain pending in the application. Upon entry of the present amendment, claim 1 will be amended. Entry of the present amendment, reconsideration of the rejection and allowance of the pending application in view of the following remarks are respectfully requested.

As an initial matter, Applicants would like to thank the Examiner for accepting the drawings filed on October 25, 2005.

In the Office Action, the Examiner rejected claims 1, 2, 5, 10 and 11 under 35 U.S.C. §103(a) as being unpatentable over Sato et al. (U.S. Patent Publication No. 2002/0005405) in view of Lee (U.S. Patent No. 4,764,652).

Applicants respectfully traverse the rejection for at least the following reasons.

In the specification of the present application, Applicants disclose an embodiment of a heat generating apparatus, which includes, *inter alia*, a heat generating member, an exciting coil, a thermostat that stops supply of power to the exciting coil when a temperature abnormality of the heat generating member is detected, and a power circuit including a rectifying circuit and a smoothing circuit. The thermostat is electrically connected between the rectifying circuit and the smoothing circuit.

Sato is directed towards an image forming apparatus which includes a fixing device 110 for fixing a transferred toner image onto a recording medium P. See Figure 1, page 2, paragraph 0039, and page 3, paragraphs 0041 and 0042. The fixing device 110 includes an excitation coil 113, a heat-generating film 115, and a power supply device 121. See Figure 2 and page 3, paragraphs 0043,

a rectification circuit 202. See Figure 3 and page 3, paragraph 0047.

In the Final Office Action, the Examiner acknowledges that Sato's fixing device 110 does not include a thermostat which stops supply of power to the excitation coil 113 when a temperature abnormality of the heat-generating film 115 is detected. However, the Examiner asserts that, in view of the disclosure of Lee, it would have been obvious to include a thermostat provided in the vicinity of Sato's heat-generating film 115 to stop supply of power to Sato's exciting coil 113, and to electrically connect the thermostat between the rectification circuit 202 and the filter capacitor 203. Applicants respectfully disagree.

Lee is directed towards a heating cooker. Lee discloses that the heating cooker includes a thermostat TS, which is mounted on a radiating plate of a switching transistor Q1, and which opens to cut off electric power supplied to an inverter 3 when the temperature of the radiating plate has risen beyond a determined temperature. See col. 6, lines 23-27.

Applicants respectfully submit that Lee is directed towards art which is non-analogous to the art which Sato is directed to. That is, Applicants respectfully submit that the art of heating cookers is not analogous to the art of image forming apparatuses. Therefore, Applicants respectfully submit that one of ordinary skill in the art would not be motivated to modify Sato's image forming apparatus based upon the disclosure of Lee.

Further, Applicants submit that Lee does not disclose or suggest a thermostat which monitors the temperature of a heat-generating film of an image forming apparatus, and stops supply to an excitation coil when a temperature

abnormality is detected. Rather, Applicants submit that Lee's thermostat TS detects the temperature of a radiating plate on which switching transistor Q1 is mounted, and cuts off electric power to an inverter 3 when the temperature has risen beyond a determined temperature.

Further, Applicants respectfully submit that the Examiner has not stated any motivation for inserting a thermostat specifically between Sato's rectification circuit 202 and filter capacitor 203.

Thus, Applicants respectfully submit that the combination of Sato and Lee fails to disclose or suggest a heat generating apparatus or an electromagnetic induction heating fixing apparatus which includes a thermostat serving to stop supply of power to an exciting coil when a temperature abnormality of a heat generating member is detected, as recited in Applicants' independent claims 1, 5, 10 and 11. Applicants further submit that the combination of Sato and Lee fails to disclose or suggest such a heat generating apparatus, where the thermostat is electrically connected between a rectifying circuit and a smoothing circuit, as recited in Applicants' independent claims 1, 10 and 11.

For at least these reasons, Applicants respectfully submit that the 35 U.S.C. § 103(a) rejections of independent claims 1, 5, 10 and 11 is improper, and respectfully request withdrawal of the rejection and allowance of the claims.

Dependent claim 2 is also submitted to be in condition for allowance for at least the reasons set forth above with respect to independent claim 1.

In the Final Office Action, the Examiner rejected claims 6-9 under 35 U.S.C. § 103(a) as being unpatentable over Sato in view of Lee, and further in

view of Okabayashi (U.S. Patent No. 5,794,096), and rejected claims 3 and 4 under 35 U.S.C. § 103(a) as being unpatentable over Sato in view of Lee, and further in view of Akutsu et al. (U.S. Patent No. 6,775,491). Applicants respectfully traverse the rejections for at least the following reasons.

Applicants respectfully submit that Okabayashi and Akutsu fail to overcome the deficiencies of Sato and Lee. That is, Applicants respectfully submit that the combination of Sato, Lee, Okabayashi and Akutsu fails to disclose or suggest a heat generating apparatus which includes a thermostat serving to stop supply of power to an exciting coil when a temperature abnormality of a heat generating member is detected, as recited in Applicants' independent claims 1 and 5.

For at least these reasons, Applicants respectfully submit that the 35 U.S.C. § 103(a) rejection of dependent claims 3, 4 and 6-9 is improper, and respectfully request withdrawal of the rejection and allowance of these claims.

Based on the above, it is respectfully submitted that this application is now in condition for allowance, and a Notice of Allowance is respectfully requested.

SUMMARY AND CONCLUSION

Applicants recognize that the current status of the present application is after-Final. However, Applicants respectfully submit that entry of the present amendment is proper under the current circumstances, as Applicants submit that the present amendment does not raise any new issues requiring further search and/or consideration.

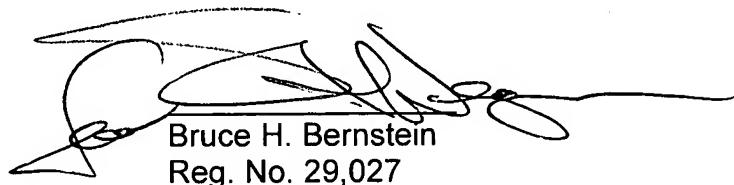
Entry and consideration of the present amendment, reconsideration of the outstanding Office Action, and allowance of the present application and all of the claims therein are respectfully requested and now believed to be appropriate. Applicants have made a sincere effort to place the present invention in condition for allowance and believe that they have now done so.

Any amendments to the claims which have been made in this amendment, and which have not been specifically noted to overcome a rejection based upon the prior art, should be considered to have been made for a purpose unrelated to patentability, and no estoppel should be deemed to attach thereto.

Should an extension of time be necessary to maintain the pendency of this application, including any extensions of time required to place the application in condition for allowance by an Examiner's Amendment, the Commissioner is hereby authorized to charge any additional fee to Deposit Account No. 19-0089.

Should the Examiner have any questions or comments regarding this response, or the present application, the Examiner is invited to contact the undersigned at the below-listed telephone number.

Respectfully Submitted,
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